

12-22-03

1646/4

Practitioner's Docket No. MPI00-5350MNIM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

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TECH CENTER 1600/2900



In re application of: Fraser, Christopher C. et al.

Application No.: 09/759,130

Group No.: 1646

Filed: January 12, 2001

Examiner: Dong, Jiang

For: NOVEL GENES ENCODING PROTEINS HAVING PROGNOSTIC,
DIAGNOSTIC, PREVENTIVE, THERAPEUTIC, AND OTHER USES

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. SECTION 1.136(a))

1. This is a petition for an extension of the time for a total period of 3 months to
respond to the Office Action mailed June 19, 2003

(indicate matter being extended)

2. A response in connection with the matter for which this extension is requested:

[] is filed herewith.

[] has been filed.

[X] The response is the filing of a continuation application.

12/31/2003 DTESSEM1 00000001 501668 09759130

01 FC:1253

950.00 DA

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV407386704US

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Sean Hunziker

(type or print name of person certifying)

Date: December 19, 2003

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Page 1 of 2)

Practitioner's Docket No. MPI00-535OMNIM

3. Applicant is

☒ other than a small entity.

4. Calculation of extension fee (37 C.F.R. Section 1.17(a)(1)-(5)):

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.000
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00
<input type="checkbox"/> five months	\$ 2,010.00	\$ 1,005.00

Fee \$950.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for _____ months has already been secured. The fee paid therefor of
\$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request _____

5. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on December 19, 2004.

6. Fee Payment

☐ Attached is a check in the sum of \$0.00

☒ Charge Account No. 501668 for any additional extension and/or fee required or credit for any excess fee paid.

☒ Charge fee to Account No. 501668. This is a request to charge for any additional extension and/or fee required or credit for any excess fee paid.

A duplicate copy of this petition is attached.

December 19, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By


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